

RICHARD DOYLE, City Attorney (88625)  
NORA FRIMANN, Assistant City Attorney (93249)  
ARDELL JOHNSON, Chief Deputy City Attorney (95340)  
KENDRA MCGEE-DAVIES, Senior Deputy City Attorney (260459)  
Office of the City Attorney  
200 East Santa Clara Street, 16<sup>th</sup> Floor  
San José, California 95113-1905  
Telephone Number: (408) 535-1900  
Facsimile Number: (408) 998-3131  
E-Mail Address: cao.main@sanjoseca.gov

Attorneys for City of San Jose; San Jose Police  
Officer Alexander Keller; San Jose Police Officer  
Baldwin; San Jose Police Officer Zarate; And San  
Jose Police Officer Bortolotti

Stephen A. Horner (Bar No. 292971)  
Stephen A. Horner, Esq.  
116 E. Campbell Avenue, #1  
Campbell, CA 95008  
Telephone: (408)219-1227  
E-mail: horner.steve@gmail.com

Attorneys for Plaintiff, David Armstrong

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DAVID ARMSTRONG,

Plaintiff(s),

v.

CITY OF SAN JOSE; SAN JOSE POLICE  
OFFICER ALEXANDER KELLER; SAN  
JOSE POLICE OFFICER BALDWIN; SAN  
JOSE POLICE OFFICER ZARATE; AND  
SAN JOSE POLICE OFFICER  
BORTOLOTT, and DOES, inclusive,

Defendant(s).

Case Number: 16-cv-02938-EJD

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO CONTINUE EARLY  
NEUTRAL EVALUATION DATE**

ENE Date: June 6, 2017  
Time: 10:00 a.m.  
Neutral: Dale Allen  
Courtroom: 4  
Judge: Hon. Edward J. Davila

Plaintiff David Armstrong and Defendants City of San Jose, Officer  
Alexander Keller, Officer Glenn Baldwin, Officer Christine Zarate, and Sergeant Damian

1 Bortolotti (collectively the "City"), by and through their respective counsel, hereby stipulate  
2 as follows:

3 1. Due to the unavailability of Defendant Baldwin for the scheduled ENE on  
4 May 26, 2017 and other calendaring conflicts of the parties and neutral, the parties  
5 respectfully request that the Court extend the date to complete the ENE from May 30,  
6 2017 to June 30, 2017. The new date for the ENE is June 6, 2017.

7  
8 Respectfully submitted,

9 Dated: May 9, 2017

RICHARD DOYLE, City Attorney

10 By: /s/ Kendra McGee-Davies  
11 KENDRA MCGEE-DAVIES  
12 Senior Deputy City Attorney

13 Attorneys for City of San Jose; San Jose  
14 Police Officer Alexander Keller; San Jose  
15 Police Officer Baldwin; San Jose Police  
16 Officer Zarate; And San Jose Police Officer  
17 Bortolotti

18 LAW OFFICES OF STEPHEN A. HORNER

19 Dated: May 9, 2017

20 By: /s/ Stephen A. Horner  
21 STEPHEN A. HORNER  
22 Attorney for David Armstrong

23 I attest that Plaintiff's counsel has read and approved this document, and given  
24 consent to the filing of the same with the Court

25 Respectfully submitted,

26 Dated: May 9, 2017

RICHARD DOYLE, City Attorney

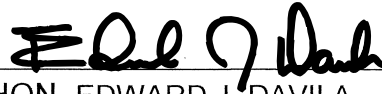
27 By: /s/ Kendra McGee-Davies  
28 KENDRA MCGEE-DAVIES  
Senior Deputy City Attorney

Attorneys for Defendants

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the Early Neutral Evaluation Date currently set for May 26, 2017, be continued to a date in June convenient to all parties and Dale Allen, and completed by June 30, 2017.

Dated: May 9, 2017



HON. EDWARD J. DAVILA  
UNITED STATES DISTRICT COURT